

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

IN THE MATTER OF:

The Stadium Group, LLC,	
t/a Stadium	Show Cause
2127 Queens Chapel Road NE	Hearing
License No. 82005	(Status)

Retailer CN - ANC 5C

Case Nos.: 13-251-00072, 12-  
251-00316, 12-251-00316(a),  
and 12-CMP-00680

Wednesday  
February 5, 2014

The Alcoholic Beverage Control  
Board met in Alcoholic Beverage Control  
Hearing Room, Reeves Building, 2000 14th  
Street N.W., Washington, D.C., Chairperson  
Ruthanne Miller presiding.

PRESENT:

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
HECTOR RODRIGUEZ, Member  
MICHAEL SILVERSTEIN, Member  
JAMES SHORT, Member  
HERMAN JONES, Member

ALSO PRESENT:

Louise Phillips, OAG  
Karen Todd, The Stadium Group

1 P-R-O-C-E-E-D-I-N-G-S

2 (10:13 a.m.)

3 CHAIRPERSON MILLER: Okay, then we  
4 will go --

5 (Off the record comments)

6 CHAIRPERSON MILLER: All right,  
7 we're moving then into our show cause status  
8 cases, which involve The Stadium Group. I'm  
9 going to call cases individually, but as I  
10 understand, they'll be the same parties. So  
11 the first case is Case Number 12-CMP-00680.

12 MS. PHILLIPS: Louise Phillips,  
13 Assistant Attorney General for the District of  
14 Columbia.

15 MS. TODD: Good morning. Karen  
16 Todd, representing The Stadium Group.

17 CHAIRPERSON MILLER: Okay, so this  
18 is for The Stadium located at 2127 Queens  
19 Chapel Road NE, License Number 82005 in ANC  
20 5C. Do you have any preliminary matters?

21 MS. PHILLIPS: Yes, Madame Chair,  
22 I was hoping that we could take them

1 individually, but we could take them in  
2 reverse order, starting with 13, just a  
3 minute, 251-00072, mainly because of some of  
4 the, since the matters hadn't, 72 was actually  
5 the first one tried.

6 CHAIRPERSON MILLER: Oh, okay.

7 MS. PHILLIPS: And so some of the  
8 things were the outcome of that hearing are  
9 relevant to the other two, even though they  
10 are older cases. And so if the Board would  
11 reverse the order in which they call it, just  
12 so I can --

13 CHAIRPERSON MILLER: Okay.

14 MS. PHILLIPS: -- keep organized,  
15 I'd appreciate it.

16 CHAIRPERSON MILLER: Okay, I don't  
17 see an issue with that.

18 MS. PHILLIPS: Thank you, Madame  
19 Chair.

20 CHAIRPERSON MILLER: Okay. So I'm  
21 going to call first, Case Number 13-251-00072.

22 MS. PHILLIPS: Good morning,

1 again. Louise Phillips, Assistant Attorney  
2 General for the District of Columbia.

3 MS. TODD: Karen Todd, attorney  
4 representative for The Stadium Group, LLC.

5 CHAIRPERSON MILLER: Okay.

6 MS. PHILLIPS: This matter came  
7 before the Board previously on a Summary  
8 Suspension Hearing in which a settlement  
9 occurred.

10 My understanding is there was also  
11 a little bit of informal testimony by two  
12 parties by the establishment. As a result, of  
13 the settlement of that summary suspension,  
14 there were apparently agreed upon a great many  
15 changes to the security plan and the security  
16 policies and procedures.

17 That's all a matter of public  
18 record, so we don't need to go into them now.  
19 So this is the status for the notice for show  
20 cause now.

21 And we have an offer and  
22 compromise to present to the Board, making no

1 changes in the security plans and security  
2 procedures that were a part of the settlement  
3 of the suspension and recommend that the  
4 Charges 3 and 4 are dropped and have a fine of  
5 \$6,000 to be, paid in --

6 (Off the record comments)

7 MS. PHILLIPS: -- a month, 30  
8 days. Part of the reason that the two charges  
9 were dropped was that Ms. Todd and I have been  
10 speaking on many occasions and continuing to  
11 exchange discovery and information that was  
12 not subject to the investigation. And that's  
13 the reason for the dropping of Charge 3 and 5,  
14 for the purposes of this offer and compromise.

15 (Off the record comments)

16 CHAIRPERSON MILLER: You mean, 3  
17 and 4?

18 MS. PHILLIPS: 3 --

19 CHAIRPERSON MILLER: 3 and 5?

20 MS. PHILLIPS: -- and 4.

21 CHAIRPERSON MILLER: 3 and 4,  
22 right.

1 MS. PHILLIPS: 3 and 4.

2 CHAIRPERSON MILLER: Thank you.

3 MS. PHILLIPS: Did I say 5, yes.

4 CHAIRPERSON MILLER: I thought you  
5 just said 5.

6 MS. PHILLIPS: Sorry.

7 CHAIRPERSON MILLER: Okay.

8 (Off the record comments)

9 CHAIRPERSON MILLER: Is there  
10 anything else, either of you are speaking to  
11 with respect to that offer and compromise, or  
12 is that it?

13 (Off the record comments)

14 MS. PHILLIPS: No, Madame Chair.

15 CHAIRPERSON MILLER: I'm sorry?

16 MS. PHILLIPS: No, Madame Chair.

17 CHAIRPERSON MILLER: Okay.

18 MS. TODD: I just concur with  
19 everything she said. My client is going to  
20 agree to the Charges 3 and 4 being dropped and  
21 paying the fines incurred by those existing  
22 charges --

1 CHAIRPERSON MILLER: Okay.

2 MS. TODD: -- 1, 2, and 5.

3 CHAIRPERSON MILLER: Any questions  
4 by Board Members on that offer and compromise?  
5 No? Okay. No?

6 (Off the record comments)

7 CHAIRPERSON MILLER: I think we'll  
8 proceed --

9 (Off the record comments)

10 CHAIRPERSON MILLER: Okay, we want  
11 to hear the next one and we will most likely  
12 adjourn afterwards to consider each one,  
13 individually, but for efficiency sake, we  
14 would like to hear them and then --

15 MS. PHILLIPS: Adjourn once.

16 CHAIRPERSON MILLER: -- adjourn  
17 once instead of back and forth. Okay.

18 MS. PHILLIPS: Right, the  
19 Government would like to move on to 12-251-316  
20 and 316(a).

21 CHAIRPERSON MILLER: Is there aq  
22 CMP Number with that?

1 MS. PHILLIPS: No.

2 CHAIRPERSON MILLER: Okay.

3 MS. PHILLIPS: I just have 12-251-  
4 31, no, 316 and 316(a).

5 (Off the record comments)

6 CHAIRPERSON MILLER: Thank you.

7 Okay, I didn't have that before me, now I do.  
8 Okay.

9 MS. PHILLIPS: I'm sorry.

10 (Off the record comments)

11 CHAIRPERSON MILLER: Okay, I think  
12 we have at least a couple of copies before us  
13 to know which case you're talking about.  
14 Okay.

15 MS. PHILLIPS: May I proceed,  
16 Madame Chair?

17 CHAIRPERSON MILLER: Yes, please.

18 MS. PHILLIPS: This matter has  
19 come before the Board previously with an offer  
20 and compromise, but we were unable to go  
21 forward because some facts came up, i.e. the  
22 investigator left the agency and we couldn't

1 find the videotape.

2 But despite all that, Ms. Todd and  
3 I have an offer and compromise to present to  
4 the Board, which consist of dropping the  
5 Charge 1, but not the factual recitation  
6 therein, and proceeding forward on the  
7 security plan violation, which because of the  
8 changes made, as a result of the summary  
9 suspension which was tried first, has no  
10 changes to the security plan and only a fine  
11 of \$2,000.

12 (Off the record comments)

13 CHAIRPERSON MILLER: Okay.

14 MR. SILVERSTEIN: Okay.

15 CHAIRPERSON MILLER: Any  
16 questions?

17 MR. SILVERSTEIN: Just this --

18 CHAIRPERSON MILLER: Yes, Ms.  
19 Todd, did you want to say something?

20 MS. TODD: No, we concur with that  
21 assessment, as well.

22 CHAIRPERSON MILLER: Okay.

1                   MR. SILVERSTEIN: So the payment  
2 and the time frame is?

3                   MS. PHILLIPS: Still 30 days,  
4 correct.

5                   MR. SILVERSTEIN: \$2K 30 days?

6                   MS. PHILLIPS: Thirty days.

7                   (Off the record comments)

8                   CHAIRPERSON MILLER: Ms. Phillips,  
9 was it 30 days for the previous case, too?

10                  MS. PHILLIPS: Indeed it was,  
11 Madame Chair.

12                  CHAIRPERSON MILLER: Okay. All  
13 right, I guess, we can go to the next case, I  
14 don't hear any questions here. Okay.

15                  MS. PHILLIPS: Thank you, Madame  
16 Chair, this case is the original case called  
17 12-CMP-680. This is a matter that has had one  
18 full day of hearing. Actually, it wasn't a  
19 whole day, I don't think.

20                  And as I recall, the District's  
21 witness was called and one of the  
22 establishment's witness was called out of

1 turn.

2 Ms. Todd and I have continued to  
3 exchange information and evidence and as a  
4 result of all of that and the negotiations  
5 that we have had from that date to this, we  
6 have an offer and compromise to present to the  
7 Board.

8 The parties recommend dropping  
9 Charge 4 and settling for a fine of \$6,000,  
10 recognizing that there were a great number of  
11 changes in the security plan for the  
12 establishment and changes in their policies  
13 and procedures for security, which were issues  
14 in all three of these cases.

15 MEMBER JONES: Martha, do they  
16 have the charging document for 72?

17 (Off the record comments)

18 MEMBER JONES: Okay.

19 MS. PHILLIPS: I'm sorry?

20 MEMBER JONES: I was looking for  
21 the charging document for 72, I don't have it.

22 MS. TODD: And the Applicant

1 concurs with the Government.

2 CHAIRPERSON MILLER: Are there  
3 Board questions?

4 MEMBER ALBERTI: Can we get a  
5 breakdown --

6 MS. PHILLIPS: Sure.

7 MEMBER ALBERTI: -- of the  
8 charges?

9 MS. PHILLIPS: I'm sorry. I  
10 thought, a break, we need a break? A  
11 breakdown. Yes, Mr. Alberti, I have a  
12 breakdown. That would be, \$2,000 for Charge  
13 1.

14 MEMBER ALBERTI: Thank you.

15 (Off the record comments)

16 MS. PHILLIPS: Five Hundred  
17 Dollars for Charge 2, \$500 for Charge 3, and  
18 \$1,000 each for Charges 5 through 7, which are  
19 charged as primary under the statute.

20 (Off the record comments)

21 MEMBER ALBERTI: Thank you.

22 CHAIRPERSON MILLER: I haven't had

1 much time to really analyze the penalties here  
2 yet, but are they on the lower end, would you  
3 say, of the penalty range, or where are they  
4 in the penalty range?

5 MS. PHILLIPS: I think they're  
6 right where they should be, considering that  
7 this was the first case and all of these  
8 cases, all of these charges, though there were  
9 a lot of them in this notice, all came on the  
10 same day, which is something the Board and the  
11 Agency considers when analyzing these cases.

12 CHAIRPERSON MILLER: You said this  
13 is the first case?

14 MS. PHILLIPS: This is the first  
15 case in this series of cases.

16 CHAIRPERSON MILLER: Okay.

17 MS. PHILLIPS: This is not the  
18 first case in the investigative history.

19 CHAIRPERSON MILLER: Okay.

20 MEMBER JONES: I believe this is  
21 case 680?

22 CHAIRPERSON MILLER: I don't know

1       what, I think so, yes.

2                   MS. PHILLIPS:   This is case 680.

3                   CHAIRPERSON MILLER:   Okay.

4                   MS. PHILLIPS:   Zero.   I always use  
5       the last three numbers.

6                   (Off the record comments)

7                   MS. PHILLIPS:   Madame Chair.

8                   CHAIRPERSON MILLER:   Yes?

9                   MS. PHILLIPS:   Mr. Jones seems to  
10       have a question.

11                   CHAIRPERSON MILLER:   Oh, Mr.  
12       Jones.   Thank you very much.

13                   MEMBER JONES:   Thank you, Ms.  
14       Phillips.   How, if at all, did you use their  
15       adjudicative history in arriving at the values  
16       determined for the OIC that you presented?

17                   MS. PHILLIPS:   Usually, I consult  
18       with agency and we both look at the  
19       investigative history.   This investigative  
20       history looks rather long in print, but if you  
21       go through it carefully, you will notice that  
22       there's no further action on the vast majority

1 of them.

2 And then, we also look at the fine  
3 ranges that are presented in the investigative  
4 history, when we're looking at them.

5 MEMBER JONES: Okay, so --

6 MS. PHILLIPS: For example, the  
7 one I see that sticks right out in my head, is  
8 Number 7 on my investigative history, which  
9 says there was a citation for \$250.

10 MEMBER JONES: Okay. So to ask my  
11 question more succinctly, do you see that they  
12 had any adjudicated primary tiers or secondary  
13 tiers on their history that would be,  
14 applicable for the adjudication of the OIC  
15 that you presented and if so, to what count  
16 would they be? Was there one secondary and  
17 one primary, two secondaries, one primary,  
18 based on your account in arriving at the  
19 values you determined, did you make that  
20 assessment? And if no, that's fine, as well.

21 MS. PHILLIPS: I probably did make  
22 that assessment, but at this time I don't know

1 remember what went into that assessment --

2 MEMBER JONES: Okay.

3 MS. PHILLIPS: -- using that. And  
4 I don't know whether that's something that the  
5 District should share on the record.

6 MEMBER JONES: Fair enough. Thank  
7 you. Thank you, Madame Chair.

8 MS. PHILLIPS: Bless you.

9 CHAIRPERSON MILLER: Other  
10 questions? So in coming to the penalties you  
11 recommended, you looked at the investigative  
12 history, you looked at the weight of the  
13 evidence in your discovery, anything else you  
14 want to say?

15 MS. PHILLIPS: If you recall these  
16 particular cases, Madame Chair, a lot of the  
17 contextual history for these charges occurred  
18 looking at the transcripts for the statuses,  
19 you know, the statuses and the fact finding  
20 hearings on these matters. If you will look  
21 at 680 in the Notice, it cites a couple of  
22 cases, which in the fact finding, which is not

1 under oath, as you all know, the establishment  
2 made certain representations as to what they  
3 were going to do to security purposes and how  
4 they were going to make changes. And the  
5 Board allowed them not to go forward to show  
6 cause because of the promises they made in the  
7 fact finding. For whatever reason, I wasn't  
8 there, I don't know why, but it's clear in the  
9 transcripts of those matters. The District  
10 used those affirmations that the establishment  
11 made to build a case to get beyond the rumors  
12 case, which you need to show a pattern, I call  
13 it pattern and practice that's not what they  
14 call it, but it's a pattern and practice of  
15 violations or issues that have been presented  
16 to the Board that the Board has relied upon  
17 the statements of the establishment that they  
18 were going to do better in certain areas to  
19 build the case for 680 and then I believe 316,  
20 though I'm not sure, but specifically for 680.  
21 So that is perhaps more what was used in the  
22 evaluation than the investigative history

1       here. Because a lot of the cases that the  
2       District felt were significant, because of the  
3       fact finding hearings, were reported on the  
4       investigative history as no further action.  
5       So and I think we went into all of this on  
6       opening, on the first day of hearing on 680.

7                   CHAIRPERSON MILLER: Okay. Thank  
8       you. Okay, are there other questions? Okay,  
9       well I the Board has got to take a little look  
10      at this.

11                   So I think we're going to try to  
12      do that now and adjourn to assess these offer  
13      in compromises. So I'll read the instructions  
14      for that and we'll see if we can do that  
15      within a reasonable amount of time, to venture  
16      back and continue the rest of the morning's  
17      hearing.

18                   MS. PHILLIPS: Thank you.

19                   CHAIRPERSON MILLER: Okay, so as  
20      Chairperson of the Alcoholic Beverage Control  
21      Board for the District of Columbia and in  
22      accordance with Section 404 of the Open

1 Meetings Amendment Act of 2010.

2 I move that the ABC Board hold a  
3 closed meeting for the purpose of seeking  
4 legal advice from our counsel on Case Numbers  
5 12-CMP-00680, 12-251-00316 and 12-251-00316(a)  
6 and 13-251-00072, the Stadium.

7 Per Section 405(b)(4) of the Open  
8 Meetings Amendment Act of 2010 and  
9 deliberating upon the OIC in these cases for  
10 the reasons cited of Section 405(b)(13) Open  
11 Meetings Amendment Act of 2010. Is there a  
12 second?

13 MEMBER BROOKS: Second.

14 CHAIRPERSON MILLER: Mr. Brooks  
15 seconded the motion. I'll take a roll call  
16 vote, Mr. Brooks?

17 MEMBER BROOKS: I agree.

18 CHAIRPERSON MILLER: Mr. Alberti?

19 MEMBER ALBERTI: I agree.

20 CHAIRPERSON MILLER: Mr.  
21 Rodriguez?

22 MEMBER RODRIGUEZ: I agree.

1 CHAIRPERSON MILLER: Ms. Miller  
2 agrees. Mr. Silverstein?

3 MEMBER SILVERSTEIN: I agree.

4 CHAIRPERSON MILLER: Mr. Short?

5 MEMBER SHORT: I agree.

6 CHAIRPERSON MILLER: Mr. Jones?

7 MEMBER JONES: I agree.

8 CHAIRPERSON MILLER: Okay, it  
9 appears that the motion has passed by a 7-0-0  
10 vote. I hereby give notice that the ABC Board  
11 will now recess and conduct our meeting in the  
12 ABC board conference room.

13 (Whereupon, the foregoing matter  
14 went off the record at 10:32 a.m. and went  
15 back on the record at 11:17 a.m.)

16 CHAIRPERSON MILLER: Okay, the  
17 Board is now back on the record now having  
18 adjourned an executive session to consider  
19 three OICs for three cases concerning The  
20 Stadium.

21 And we are going to vote on each  
22 OIC for each case individually. And the first

1 OIC that I would like to put forth for a  
2 motion concerns Case Number 12-251-316 and 12-  
3 251-316(a).

4 There is a proposed offer and  
5 compromise of \$2,000 to be paid within 30 days  
6 and this would be a \$2,000 fine for Charge 2  
7 and Charge 1 would be dropped. And I move  
8 that we approve this offer and compromise. Do  
9 I have a second?

10 MEMBER BROOKS: Second.

11 CHAIRPERSON MILLER: Mr. Brooks  
12 has seconded the motion, does anybody wish to  
13 speak to the offer and compromise? Okay.  
14 Okay, let's just, I'll say that this appears  
15 to be a reasonable offer and compromise and I  
16 --

17 (Off the record comments)

18 CHAIRPERSON MILLER: Okay. I  
19 would then call for a vote. All those in  
20 favor of accepting the offer and compromise  
21 say aye.

22 (Chorus of ayes)

1 CHAIRPERSON MILLER: All those  
2 opposed?

3 MEMBER JONES: Opposed.

4 CHAIRPERSON MILLER: All those  
5 abstaining? Then the motion passes with Mr.  
6 Jones descending by a vote of 6 to 1 to 0.  
7 The next case in which an offer and compromise  
8 was presented to the Board for consideration  
9 is Case Number 12-CMP-00680.

10 The proposed offer and compromise  
11 is a total of \$6,000, which includes a \$2,000  
12 fine for Charge 1, a \$500 fine for Charge 2,  
13 a \$500 for Charge 3, Charge 4 would be dropped  
14 and a \$1,000 fine each for Charge 5 through  
15 Charge 7. And the fine would be paid within  
16 30 days. I move that we deny the offer and  
17 compromise, do I have a second?

18 MEMBER SHORT: Second.

19 CHAIRPERSON MILLER: Mr. Short has  
20 seconded the motion. Does anybody want to  
21 speak to this motion? I would say that, then  
22 the offer of the minimal charges seems a

1 little too low for gravity of the offenses, as  
2 my reason. Okay. Mr. Silverstein?

3 MEMBER SILVERSTEIN: I would agree  
4 with the Chair, based on the totality of the  
5 record of the licensee and the seriousness of  
6 the charges and the shown behavior of the  
7 licensee in this case that our obligation to  
8 the public as such that we cannot accept this.

9 CHAIRPERSON MILLER: Any other  
10 comments? All right then, there's a motion to  
11 deny the offer and compromise that's been  
12 seconded, all those in favor of the motion say  
13 aye.

14 (Chorus of ayes)

15 CHAIRPERSON MILLER: All those  
16 opposed? All those abstaining? Motion passes  
17 7-0-0 to deny.

18 And the third case in which an  
19 offer and compromise that we have to vote on  
20 is 13-251-00072. The proposed offer and  
21 compromise is a \$6,000 fine, which would be a  
22 \$2,000 fine for Charges 1, 2 and 5, Charges 3

1 and 4 would be dropped and payment would also  
2 be within 30 days.

3 Based on the same reasoning that I  
4 expressed for the previous case, I would,  
5 given the gravity of the offenses and the  
6 minimal amount of the fines, I would move to  
7 deny. Do we have a second?

8 MEMBER BROOKS: Second.

9 CHAIRPERSON MILLER: Mr. Brooks  
10 has seconded the motion. Any further  
11 comments? Okay. All those in favor then of  
12 the motion say aye.

13 (Chorus of ayes)

14 CHAIRPERSON MILLER: All those  
15 opposed? All those abstaining? The motion  
16 passes 7-0-0. Okay.

17 MS. PHILLIPS: Madame Chair, if I  
18 might. According to the most recent notice I  
19 have, Case Number 12-CMP-680 has been  
20 rescheduled to be heard on the 19th  
21 \*\*\*11:23:16, I'm sorry.

22 Case 680 has been rescheduled to

1 be continued on March 19th, 2014 at 10:00 a.m.  
2 Before this was set I have a hearing set  
3 before a Department of Health Board on that  
4 date and I will be unable to finish the  
5 hearing on that date, so we need to get a new  
6 date. And if we can consult with counsel and  
7 the --

8 MS. PHILLIPS: As of right now,  
9 the District does not know of any conflicts.  
10 I don't have everything in this phone though.

11 CHAIRPERSON MILLER: Right. Okay.

12 MS. TODD: I need to get back. Is  
13 this for 72?

14 MS. PHILLIPS: No, this is for  
15 680.

16 CHAIRPERSON MILLER: 680.

17 MS. PHILLIPS: This is for 680.

18 CHAIRPERSON MILLER: Does that  
19 work for you, Ms. Todd?

20 MS. TODD: So this is moving 680  
21 from February 19th to February 26th?

22 CHAIRPERSON MILLER: Yes.

1 MS. TODD: Okay. Yes, that works  
2 fine.

3 MS. PHILLIPS: No, this is moving  
4 680 from March 19th to February 26th.

5 CHAIRPERSON MILLER: Oh, okay.

6 MS. PHILLIPS: Isn't it? That's  
7 what --

8 CHAIRPERSON MILLER: All I have  
9 before me is the February 26th date.

10 MS. PHILLIPS: Yes, the hearings  
11 that are set for February 19th will now only  
12 be 72.

13 (Off the record comments)

14 MS. PHILLIPS: According to what I  
15 have on this, my most recent notice about  
16 cases.

17 (Off the record comments)

18 CHAIRPERSON MILLER: What?

19 MEMBER ALBERTI: The two counsels  
20 can consult with our general counsel and work  
21 this all out.

22 MS. PHILLIPS: Yes, okay.

1 (Off the record comments)

2

3 MS. PHILLIPS: No, this date is --

4 CHAIRPERSON MILLER: No, I --

5 MS. PHILLIPS: I'm not asking to  
6 have this date moved.

7 CHAIRPERSON MILLER: Right.

8 MS. PHILLIPS: I was just sort of  
9 correcting the record that was getting a  
10 little muddled.

11 CHAIRPERSON MILLER: So as of now,  
12 680 will be on February 26th at 1:30 p.m.,  
13 unless you contact our General Counsel that  
14 there's some problem.

15 MS. PHILLIPS: Thank you, Madame  
16 Chair.

17 CHAIRPERSON MILLER: You're good  
18 on that?

19 (Off the record comments)

20 CHAIRPERSON MILLER: Okay, you're  
21 good on that? Okay. And we're good on the  
22 other dates then, we're set?

1 MS. PHILLIPS: As far as I know.

2 CHAIRPERSON MILLER: Okay. Ms.

3 Todd?

4 MS. TODD: Yes.

5 CHAIRPERSON MILLER: Okay. Well  
6 thank you very much.

7 MS. PHILLIPS: Thank you, Board  
8 Members. Happy New Years. I haven't seen any  
9 of you. And welcome to the bench, the two new  
10 Members.

11 (Off the record comments)

12 CHAIRPERSON MILLER: Thank you.  
13 Happy New Year to you. Happy Valentine's Day.  
14 All right, moving along now.

15 (Whereupon, at 11:26 a.m., the  
16 show cause status hearing was adjourned.)

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